

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

CORE SERVICES LLC

and

Case 18-CA-102260

TEAMSTERS LOCAL No. 120

EDDISONS FACILITY SERVICES LLC

and

Case 18-CA-102269

TEAMSTERS LOCAL No. 120

AI STAFFING

and

Case 18-CA-105168

TEAMSTERS LOCAL No. 120

WAYLAND RESOURCES, LLC

and

Case 18-CA-107874

TEAMSTERS LOCAL No. 120

AVIS BUDGET GROUP, INC.

and

Case 18-CA-117054

TEAMSTERS LOCAL No. 120

EDDISONS FACILITY SERVICES, LTD.

and

Case 18-CA-117061

TEAMSTERS LOCAL No. 120

**ORDER BIFURCATING PROCEEDING, DENYING MOTION IN PART
and
NOTICE TO SHOW CAUSE**

On April 2, 2014, Avis Budget Group, Inc. (Respondent Avis) filed with the Board a Motion for Dismissal or Summary Judgment seeking dismissal of the February 25, 2014 consolidated complaint on the grounds that there are no genuine issues of fact and that it is entitled to judgment as a matter of law. On April 9, 2014, the General Counsel filed an Opposition to the Respondent Avis's Motion. On April 10, 2014, Respondent Avis filed a response to the General Counsel's Opposition. Having duly considered the matter,

IT IS ORDERED that the issues in the above-captioned proceeding be bifurcated.

IT IS FURTHER ORDERED that the issues and complaint allegations regarding

1) whether Respondent Avis and Respondent Eddisons Ltd. can be found to be derivatively liable as joint employers for the unfair labor practices found in *Eddisons Facility Services LLC*, Cases 18-CA-089191 et al., at a time when the litigation of the Respondents' knowledge of and involvement in the conduct at issue is precluded by Section 10(b) of the Act, and

2) whether allegations of derivative liability can be raised in a new and separate unfair labor practice proceeding rather than in a supplemental compliance proceeding to the original case,

be transferred to and continued before the Board in Washington, D.C.

IT IS FURTHER ORDERED that Respondent Avis's motion is denied with respect to all other issues and complaint allegations, as Respondent Avis has failed to

establish that there are no material issues of fact and that it is entitled to judgment as a matter of law on these matters.

NOTICE IS GIVEN that cause be shown, in writing, filed with the Board in Washington, D.C., on or before July 2, 2014 (with affidavit of service on the parties to these proceedings), why Respondent Avis's Motion should not be granted with respect to the issues transferred to and continued before the Board.¹ Any briefs or statements in support of the motions shall be filed by the same date.

Dated, Washington, D.C., June 18, 2014

MARK GASTON PEARCE, CHAIRMAN

HARRY I. JOHNSON, III, MEMBER

NANCY SCHIFFER, MEMBER

¹ On May 19, 2014, Avis filed a motion in limine. The General Counsel filed an opposition to the motion. The Board will consider that motion and opposition, both as to the matters on which the Respondent's motion for summary judgment has been denied and as to those matters before it pursuant to the bifurcation and transfer of issues to the Board. Regarding the matters to which the motion for summary judgment has been denied, pending a ruling by the Board on the motion in limine, the General Counsel is precluded from relying on the decision of Judge Fine in Cases 18-CA-089191, et al. (JD-65-13) regarding Respondent Avis, and the administrative law judge assigned to the instant proceeding is instructed not to give any weight to Judge Fine's decision regarding Respondent Avis.